

# Things That Can Go Wrong & Ways to Avoid Schedule Busters

## Common Complaints about MEPA /NEPA Review

- It takes too long
- Too expensive
- The EA or EIS is labor intensive to review, formulaic and hard to understand
- Public participation seems to appear at the end of the process and is not meaningful
- Lawsuits can reverse the decision after the process is over, so why have the process?
- The decision is already made before it starts, so why have the process?

## Things that can blow a schedule/budget

### General Consultant & Agency mistakes

- Weak project manager (needs experience, inadequate authority, unfamiliar with MEPA/NEPA)
- Bad writing, bad impacts analysis, missed deadlines)
- Too many people on the interdisciplinary team
- Understaffed state agencies
- Document is inconsistent from resource to resource, contradictory statements
- Lack of experience with MEPA and NEPA
- Lack of understanding of relevant regulations
- Biased analysis (eg: leaves out information that is not supportive of the proposed action)

### Public Participation is Mishandled

- Starting the scoping process before the roles of cooperating agencies are well-defined
- Starting scoping with a poorly developed proposed action
- Starting scoping before geographical extent of study area and baseline data requirements are known.
- Telling the public what you think they want to hear, but not taking the time to find out what they really want to know.
- Underestimating the level of concern or controversy over the proposed action

### Poor communication

- Infrequent communication between PM and IDT/PM and decision maker/PM and applicant
- Different vocabulary/culture between agencies (same word but different meanings)
- Not willing to admit something has gone wrong
- Ineffective meetings

Concerns brought forward at the 11th hour instead of during scoping

Cooperating agency delays and reversals (long reviews, changing information, delayed decisions)

The threat of lawsuits that makes the MEPA/NEPA process more and more detailed and time consuming.

Lack of flexibility of agency policy or procedures when working with another

Lack of motivation for lead or cooperating agencies to stay on schedule

## How to Avoid Schedule and Budget Busters

Have a plan and follow it

Need a strong project manager

- The agency PM must have management authority over team members and good understanding of the process.
- The agency PM should be empowered to make decisions or know enough to plan for what may come up and get approvals prior to a meeting.
- A PM that has to take everything back to a supervisor first, slows things down by requiring multiple meetings to resolve an issue.

Hire a good consultant

- Hire a consultant that can provide good advice, not just take orders
- Be clear about the role of the consultant and agency team members

Get your ducks in a row before scoping.

- The project is fully defined incl. known issues of concern and geographic extent of study area before public scoping
- All cooperating agency roles are defined before public scoping
- Existing baseline information is known before public scoping
- Scoping will expose additional issues, alt options, and mitigation measures, may change proposed action.
- Informal pre-scoping may also be a worthwhile investment to discover the level of controversy, the general public understanding of the project. Invest in focused scoping if the project is controversial (invite groups to information/discussion sessions, conduct interviews).

Try to limit the size of the interdisciplinary project team

Tailor analysis to focus on resources that will be affected by the PA or alternative

Establish a realistic schedule in the beginning. The more people and agencies involved, the longer the project tends to take.

Determine the real issues of concern

Take the time to figure out what is really causing things to go off track.

Prepare reader friendly documents (shorter, pictures, less technical jargon, fewer acronyms, decision-focused).

Prepare better edited documents: no contradictory statements, consistent scope.

Use lots of maps, pictures and tables than words to communicate

PM = Project Manager

IDT = Interdisciplinary Team

MEPA = Montana Environmental Policy Act

NEPA = National Environmental Policy Act

PA = Proposed Action

EA = Environmental Assessment

EIS = Environmental Impact Statement